

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CALVIN ADONY MARIANO ESPINOZA et al.,	:	
	:	
Plaintiffs,	:	20-CV-4381 (JMF)
	:	
-v-	:	<u>ORDER</u>
	:	
EURO DESIGN AND STONE LLC et al.,	:	
	:	
Defendants.	:	
-----X	:	

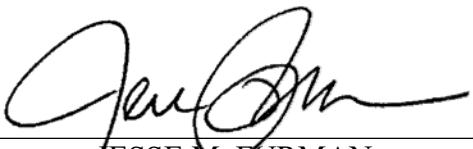
JESSE M. FURMAN, United States District Judge:

Upon reflection and in light of the fact that, to date, only one Defendant has been properly served, *see* ECF No. 75, the Court concludes that it would make sense for all Defendants' responses to the Second Amended Complaint to be due on the same date, notwithstanding the previous schedule set by the Court. To that end, Plaintiffs shall promptly file proof of service of the Second Amended Complaint on Defendants Robert Lala and Euro Design and Stone LLC, once such service is completed. Within **three weeks** of the date on which proof of service on all Defendants is filed, Defendants — either individually or together — shall (1) file an answer; (2) file a motion to dismiss the Second Amended Complaint; or (3) file a letter on ECF stating that he or it relies on any previously filed motion(s) to dismiss. If either Robert Lala or Salih Ozen files an answer or a new motion to dismiss, the Court will deny the corresponding previously filed motion to dismiss, ECF Nos. 56-57, as moot. If any Defendant files a new motion to dismiss, any opposition shall be filed within **fourteen days**, and any reply shall be filed within **seven days** of any opposition.

Additionally, **the same day** that Plaintiffs file proof of service on the remaining Defendants, Plaintiffs shall serve all Defendants via overnight mail with a letter advising of the particular dates on which Defendants' responses and any opposition and reply to any motion(s) to dismiss are due, according to the schedule set forth in the previous paragraph. Plaintiffs shall attach a copy of this Order to that letter and shall file proof of such service (including a copy of the letter) on each Defendant **within two business days** of service.

SO ORDERED.

Dated: April 20, 2021
New York, New York



JESSE M. FURMAN
United States District Judge